

Misbranding of the article was alleged in substance in the libel, in that certain statements in the booklets accompanying, on the cartons enclosing, and on the bottles containing the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be a non-poisonous tonic, and to be effective as a remedy for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, gastritis, hemorrhoids, gonorrhea, gleet, balanitis, bubo, inflammation and swelling of a lymphatic gland of the groin, leucorrhea, whites, and catarrh of the vagina, whereas it was not effective.

On September 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8445. Misbranding of olive oil. U. S. * * * v. 72 Cans of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 10555. I. S. No. 15006-r. S. No. E-1491.)

On June 12, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 cans of olive oil, at Wilkes-Barre, Pa., alleging that the article had been shipped on or about April 22, 1919, by the Venice Importing Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Representative samples of the article, consisting of 22 cans, examined by the Bureau of Chemistry of this department showed a shortage in quantity of the contents of 5.41 per cent.

Misbranding of the article was alleged in the libel in that the statement on the label of the can, regarding its contents, to wit, "One Quart," was false and misleading in that it represented that the contents of the cans were 1 quart, whereas they were less than 1 quart. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents of the said package was not correctly stated on the package.

On January 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8446. Misbranding of Short Stop products. U. S. * * * v. 2 Dozen, More or Less, Bottles of a Drug Labeled "Short Stop Injection, First Stage," 2 Dozen, More or Less, Bottles of a Drug Labeled "Short Stop Injection, Second Stage," and 3 Dozen Bottles, More or Less, of a Drug Labeled "Short Stop Capsules." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10839. I. S. Nos. 7791-r, 7792-r, 7793-r. S. No. C-1367.)

On July 15, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of certain products, labeled "Short Stop," at Cincinnati, Ohio, consigned on or about June 14, 1917, and December 7, 1918, by the Massmann Chemical Co., Covington, Ky., alleging that the article had been

transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the Short Stop Injection, First Stage, consisted of a dilute aqueous solution of zinc sulphocarbolate, berberine sulphate, a trace of phenol, and bismuth hydrate in suspension, that the Short Stop Injection, Second Stage, consisted essentially of a dilute aqueous solution of zinc sulphate, berberine sulphate, and phenol, and that the contents of the capsules consisted essentially of sodium carbonate, methylene blue, and salol.

Misbranding of the article was alleged in the libel in that certain statements appearing in the circular accompanying, on the carton inclosing, and on the label on the package containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, gleet, leucorrhea, kidney and bladder affections, and chronic seminal and mucous discharges, and to prevent contagion, whereas, in truth and in fact, it was not effective.

On March 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S447. Adulteration of olive oil. U. S. * * * v. 11 1-Gallon Cans and 11 ½-Gallon Cans of a Product Purporting to be Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 11148. I. S. No. 15094-r. S. No. E-1681.)

On August 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a product purporting to be olive oil, at Carbondale, Pa., alleging that the article had been shipped on or about July 9, 1919, by Sbrioli & Fania, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn and peanut oils with little or no olive oil, and that the cans examined were short volume.

Adulteration of the article was alleged in the libel in that a mixture of oils containing no appreciable amount of olive oil had been mixed and packed with, and substituted wholly or in part for, the said product purporting to be olive oil.

Misbranding of the article was alleged in that the statements, to wit, "Qualità Superiore Olio Tripolitania Puro Garantito Sotto Qualsiasi Analisi Chimica," together with a picture of the map of Italy and a woman holding the Italian flag, and "1 Gallon Net" and "½ Gallon Net," respectively, were false and misleading and deceived and misled the purchaser into the belief that the article was a foreign product, and that it was olive oil, whereas, in truth and in fact, it was not a foreign product and was not olive oil. Further misbranding was alleged in that the quantity of the contents of each can was not plainly and conspicuously marked on the outside thereof.

On January 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*